

September 19, 2023

Submitted via e-mail to: The Honorable Town Council of Portsmouth via Town Clerk's Office.

Dear Town Clerk West,

Please see submitted below for the consideration of the Honorable Town Council of Portsmouth for an upcoming regularly scheduled meeting. These recommendations would:

- Clarify and restate expectations for all community stakeholders,
- Demonstrate a continued commitment to organizational transparency, and
- Reduce the administrative burden placed upon the Town Clerk's office.

We can realize some quick wins and build upon the top score received by the Town Council for open government best practices through the following:¹

- 1) Direct all boards, commissions, and committees stood up by the Town Council to post minutes online to the Rhode Island Secretary of State (RI SoS) Open Meetings online portal in a timely fashion, and if applicable, retroactively for the past three years.

This will allow the Town Council, Town Staff, the media, and the public to learn what the various appointed bodies are deliberating upon, what votes or actions are being taken or considered, and the attendees of the committee meetings being held at Town of Portsmouth (ToP) facilities.

It is recommended to follow statewide convention and utilize the RI SoS Open Meetings online portal, which is the "*state's central hub that connects Rhode Islanders with their government*".² Respective "Boards & Commissions" subpages of the ToP's website would include a link to their correlating space on the RI SoS online portal. Of significant note, in contrast to the ToP's website's "Agendas & Minutes" widget, the RI SoS portal displays all versions of publicly posted agenda and meeting minutes filings with the timestamp of the filing and the full name of the filer. A "DRAFT" version of the meeting minutes should be uploaded promptly, especially if the group will not meet again during the upcoming month. Once meeting minutes have been approved at the next regularly scheduled meeting, the "APPROVED" version of the minutes would then be posted.

This guidance would align Portsmouth's advisory committees and allow for wider distribution of the committees' efforts and insights, especially when committees are directed by the Town Council to undertake investigatory efforts which could become of regional interest.

¹ "[How open is your government?](#)" *East Bay RI* (posted 07JUN2023)

² <https://www.sos.ri.gov/divisions/open-government-center>

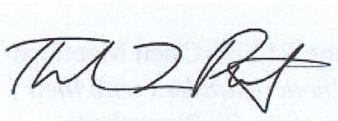
2) It is commendable that the Town Council webpage was updated to state how a member of the public may request an item to be listed on an upcoming meeting agenda.³ It would be advisable to include additional verbiage to additionally explain:

- a. Due date for submissions (noon the Tuesday before the upcoming regularly scheduled Town Council meeting).
- b. Who communicates to the agenda item submitter whether the meeting agenda item has been approved for the upcoming Town Council meeting agenda.
 - i. Should the requested meeting agenda item have not been approved to be placed on the next agenda, it should be noted who explains the reason why, and provide that reason, such as:
 - Not within the purview of the Town Council,
 - The Town Council would need more time to review the information presented for consideration, and/or
 - The topic will be combined with another topic or handled at a special meeting or workshop of the Town Council.

3) Create a process to capture all furnished (written and/or verbal) legal opinions of the Town Solicitor and post in a "searchable" file format on a public facing online repository of the ToP's website, as stated in Section 508 of the Town Charter.⁴

"All written legal opinions furnished to the Council and to all Town officers, departments or agencies shall be filed with the Town Clerk and become a public record."

Respectfully submitted,



Theodore Pietz

³ <https://www.portsmouthnh.gov/234/Town-Council>

⁴ <https://www.portsmouthnh.gov/DocumentCenter/View/4912/2020-Amended-Town-Charter>